

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BURVIN STEVENSON,

Plaintiff,

CIVIL ACTION NO. 07-CV-14040-DT

VS.

DISTRICT JUDGE DENISE PAGE HOOD

GEORGE PRAMSTALLER, et al.,

MAGISTRATE JUDGE MONA K. MAJZOUB

Defendants.

OPINION AND ORDER DIRECTING SERVICE

This matter comes before the Court on Plaintiff's Response to the Court's Order to Show Cause entered on October 7, 2008. (Docket nos. 52, 56). Plaintiff has not been granted leave to proceed in forma pauperis. The Order to Show Cause ordered Plaintiff to explain why the unserved Defendants Borgerding, Ventocilla, Malloy, and MDOC Bureau of Health Care Services should not be dismissed pursuant to Fed. R. Civ. P. 4(m). (Docket no. 52). Plaintiff's Response shows that he has made some attempts to effect service. Therefore, the Court will not order dismissal of these Defendants. Plaintiff alleges that he now has a new address, apparently meaning that he has been released from prison, and will now be able to effect proper service on these Defendants as required by Rule 4. The Court will therefore allow 30 days for Plaintiff to effect proper service on these Defendants. If proper service is not effected by that time, these Defendants will be dismissed without prejudice with no further notice to Plaintiff.

IT IS THEREFORE ORDERED that Plaintiff effect proper service of Defendants Borgerding, Ventocilla, Malloy, and the MDOC Bureau of Health Care Services, and file proper proof of service of these Defendants with the Clerk, on or before November 21, 2008.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: October 24, 2008

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Order was served upon Burvin Stevenson and Counsel of Record on this date.

Dated: October 24, 2008

s/ Lisa C. Bartlett
Courtroom Deputy